

IN THE UNITED STATES RECEIVING OFFICE  
OF THE PATENT COOPERATION TREATY

Application No. : 10/567,992 Confirmation No.: 5509  
Applicant: : Stewart et al.  
International Filing Date: 11 August 2004  
Group Art Unit : Not yet assigned  
Examiner: : Not yet assigned  
Docket No. : 007180-50 US  
Customer No. : 36,234

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any other document mentioned as being enclosed, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. EQ287730655US.

4 Oct 2006  
Date

  
Marilyn J. Morris

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTN: EO/US

Dear Sir:

In response to the Notice to File Missing Requirements mailed June 15, 2006, included herewith are:

1. Copy of Formalities Letter (Notification of Missing Requirements Under 35 U.S.C. 371);
2. Executed Inventors' Declaration And Power of Attorney;
3. Disk containing Sequence Listing in computer readable form;
4. Statement regarding Sequence Listing; and
6. Credit Card Payment Form authorizing payment of \$65 for the surcharge for late filing of the Declaration.

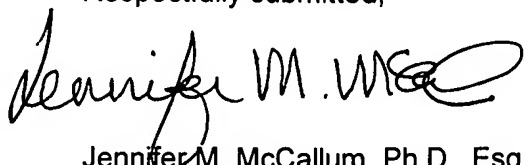
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65.00 DP

It is believed that no further fees are required at this time; however, if additional fees are required, please charge such fee or credit any overpayment to Deposit Account No. 502679.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jennifer M. McCallum". The signature is fluid and cursive, with a large initial "J" and a stylized "M" and "C".

Jennifer M. McCallum, Ph.D., Esq.  
Reg. No. 52,492

THE MCCALLUM LAW FIRM, LLC  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

7180-5045

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/567,992	Russell John Stewart	00180-50 US

INTERNATIONAL APPLICATION NO.
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PCT/US04/25958

I.A. FILING DATE	PRIORITY DATE
08/11/2004	08/11/2003

36234  
 JENNIFER M MCCALLUM, PH D, ESQ  
 THE MCCALLUM LAW FIRM, LLC  
 685 BRIGGS STREET  
 PO BOX 929  
 ERIE, CO 80516

CONFIRMATION NO. 5509

371 FORMALITIES LETTER

OC000000019933380

Date Mailed: 08/08/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/09/2006
- Copy of the International Search Report filed on 02/09/2006
- Information Disclosure Statements filed on 02/09/2006
- Biochemical Sequence Listing filed on 02/09/2006
- Request for Immediate Examination filed on 02/09/2006
- Copy of references cited in ISR filed on 02/09/2006
- U.S. Basic National Fees filed on 02/09/2006
- Priority Documents filed on 02/09/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

• \$65 Surcharge.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/567,992	PCT/US04/25958	00180-50 US